



HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.2172 of 2023

1. Naresh Kumar Sahu S/o Brijlal Sahu Aged About 34 Years R/o Ward No. 8, Dongargaon, Tehsil Dongargaon, District - Rajnandgaon Chhattisgarh.
--- **Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Government of Chhattisgarh, Urban Administration and Development Department, Mahanadi Bhawan, Mantralaya Atal Nagar, Nawa Raipur, Chhattisgarh
2. Collector, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.
3. Sub Divisional Officer (Revenue) Dongargaon, District- Rajnandgaon Chhattisgarh.
4. Tahsildar, Dongargaon, District- Rajnandgaon Chhattisgarh
5. Chief Municipal Officer, Nagar Panchayat Dongargaon, District- Rajnandgaon, Chhattisgarh.

---- Respondents

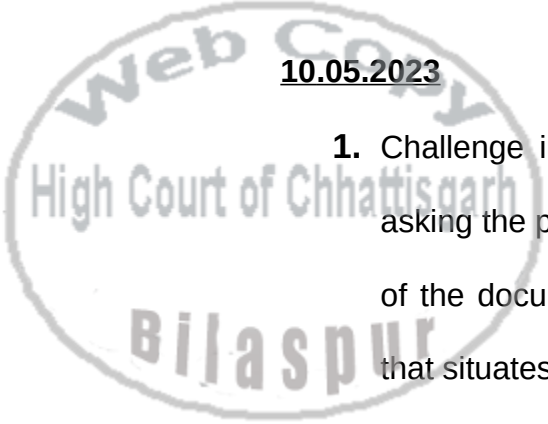
For Petitioner	:	Shri Aditya Tiwari, Advocate.
For State	:	Shri Raghvendra Pradhan, Addl. AG.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.05.2023

1. Challenge in the present writ petition is to the notice dated 23.03.2023 asking the petitioner to appear before the respondent authorities in respect of the documents on the basis of which he is in possession of the shop that situates at Khasra No.62/1.
2. It is alleged by the respondents that the petitioner has illegally encroached upon the said land.
3. The counsel for the petitioner referred to Annexure P/2 which is said to be the valid Patta issued in favour of the petitioner under Rajeev Gandhi Ashray Yojna. The petitioner further produces Annexure P/4, a document which would reflect that the Patta issued in his favour has been dully registered in the name of petitioner under the concerned Nagar Panchayat i.e. Dongargaon. The petitioner submits that he has already given a detailed reply to the notice Annexure P/1 to the competent authority. However, before taking a decision, the authorities concerned have started steps for forcefully dispossessing the petitioner from the said place.





4. The counsel for the respondent submits that if the petitioner has filed his detailed reply supported with all relevant documents, the concerned authority shall duly verify the same and only after verification of the facts, further steps shall be taken pursuant to Annexure P/1 dated 23.03.2023.
5. Given the submission by the State counsel, the writ petition at this juncture stands disposed of directing the respondent No.4 to immediately process the reply that the petitioner has filed and the documents that he has filed along with the reply. In addition, the petitioner would still be at liberty to file a detailed additional reply supported with all relevant documents in respect of Lease/Patta that he has in his favour and the registration of his name on the said land before the respondent No.4. The respondent No.4 after due verification, scrutiny and enquiry in respect of the same shall take appropriate steps.
6. Meanwhile, the respondents are restrained from initiating any co-ercive steps/forceful dispossession of the petitioner from the subject land, if it has not been acted upon till now.
7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge